

REMARKS

I. Introduction

Claims 18 to 30 are pending in the present application. In view of the foregoing amendments and the following remarks, it is respectfully submitted that all of the presently pending claims are allowable, and reconsideration is respectfully requested.

Applicants thank the Examiner for considering the previously filed Supplemental Information Disclosure Statement, PTO-1449 paper and cited reference.

II. Allowed Claims 23, 24, 29 and 30

Applicants note with appreciation the indication that claims 23, 24, 29 and 30 are allowed.

III. Allowable Subject Matter

Applicants note with appreciation the indication of allowable subject matter contained in claims 25 and 27. In this regard, the Examiner will note that each of claims 25 and 27 has been rewritten herein in independent form to include all of the limitations of its respective base claim and any intervening claims. It is therefore respectfully submitted that claims 25 and 27 are in condition for immediate allowance.

IV. Rejection of Claims 18 to 22, 26 and 28 Under 35 U.S.C. § 103(a)

Claims 18 to 22, 26 and 28 were rejected under 35 U.S.C. § 103(a) as unpatentable over the combination of U.S. Patent No. 4,041,430 and German Published Patent Application No. 100 03 055. Applicants respectfully submit that the combination of U.S. Patent No. 4,041,430 and German Published Patent Application No. 100 03 055 does not render unpatentable the present claims for the following reasons.

The present application entered the national stage on **June 19, 2002** based on PCT International Application No. PCT/DE01/02147, having an international filing date of **June 8, 2001**. Contrary to the indication contained on the PTO-892 paper attached to the present Final Office Action, German Published Patent Application No. 100 03 055 states on its face that it was published on

August 9, 2001, which is after the June 8, 2001 international filing date of the present application. The date of January 25, 2000 indicated on the face of German Published Patent Application No. 100 03 055 is the filing date of that publication. The filing date of German Published Patent Application No. 100 03 055, however, is entirely irrelevant.

Since the publication date of August 9, 2001 of German Published Patent Application No. 100 03 055 is after the June 8, 2001 international filing date of the present application, it is respectfully submitted that German Published Patent Application No. 100 03 055 does not constitute prior art against any claim of the present application. It is therefore respectfully submitted that the present rejection is moot, and withdrawal of this rejection is respectfully requested.

V. Conclusion

It is therefore respectfully submitted that all of the presently pending claims are allowable. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited.

Respectfully submitted,

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